

REMARKS

This Response is submitted in response to the Final Office Action dated May 21, 2004. Claims 1, 6 to 9, 14 to 16, 18, 21, 23 and 25 have been amended. Claims 5 and 13 stand cancelled without prejudice or disclaimer. No new matter has been added by these amendments.

A Request for Continued Examination, a Supplemental Information Disclosure Statement and a Petition for a Two Month Extension of Time to file this Response are submitted herewith. A check in the amount of \$1220.00 is submitted herewith to cover the cost of the RCE and the two-month extension. Please charge deposit account number 02-1818 for any insufficiency of payment or credit any overpayment.

The Office Action indicated on the Office Action Summary that James E. Kaminkow is the first named inventor. The Applicant respectfully submits that the first named inventor is Joseph E. Kaminkow.

The Office Action rejected Claims 1 to 6, 8 to 18 and 20 to 25 under 35 U.S.C. §102(b) as being anticipated by Ludlow et al. Applicant respectfully disagrees and traverses these rejections because Ludlow does not disclose at least one set of a plurality of values determined by a player's selection of a plurality of selections.

As stated in the Office Action, Ludlow relates to a gaming machine having a set of reels wherein two of the reels are shielded from a player's view. In Ludlow, after the reels have stopped rotating, the gaming machine enables the player to press an appropriate button to cause pivoting of the shield to reveal either one or both of the symbols underneath the shield. The revealed symbol(s) are then combined with the other visible symbols to determine whether or not there is a winning symbol combination.

Amended independent Claim 1 is directed to a gaming device including a display device, a processor in communication with the display device and a plurality of selections adapted to be displayed to a player by the display device and a plurality of different values associated with the selections. The gaming device also includes at least one set of a plurality of the values determined and displayed by enabling the

player to pick a plurality of the selections and at least one award generated by the processor by selecting at least one but not all of the plurality of values of the set.

Applicant respectfully submits that Ludlow relates to a reel game with a shielding feature, while the gaming device of amended independent Claim 1 is directed to a selection game wherein based on a plurality of player picks of selections and at least one processor selection, at least one award is generated. Specifically, in Ludlow, the only selection made by the player is by pressing the appropriate button to pivot the shield to reveal the symbol(s) underneath the shield. On the other hand, the gaming device of amended independent Claim 1 includes a plurality of selections which are associated with a plurality of values wherein the player picks a plurality of the selections to form a value set based on the values associated with the player picked selections. Moreover, unlike Ludlow, the gaming device of amended independent Claim 1 includes the generation of at least one award by selecting one but not all of the plurality of values in the formed value set.

The Office Action states that Ludlow includes at least one set of a plurality of values determined by the player's selection of an appropriate button. Applicant respectfully disagrees and submits that the player's selection of an appropriate button determines a single value. In Ludlow, after selecting an appropriate button to reveal zero, one or more of the reel shields, a single value is determined based on any prize associated with the symbol combination of the previously visible symbols and any revealed generated symbols. On the other hand, the player's picks of a plurality of the selections in the gaming device of amended independent Claim 1 determines and displays a set of a plurality of values. That is, as a plurality of different values are associated with the selections, by enabling the player to pick a plurality of the selections, the set of values determined and displayed in the gaming device of amended independent Claim 1 must include a plurality of different values.

Additionally, the gaming machine in Ludlow includes the association of a plurality of values with selections and the determination of an award, if any, by enabling the player to pick one or more selections (i.e., shields to pivot). On the other hand, the gaming device of amended independent Claim 1 includes the association of a plurality

of values with a plurality of selections, the determination of a set of a plurality of the values by enabling the player to pick a plurality of the selections and the subsequent generation of an award by selecting at least one but not all of the plurality of values in the set. That is, in addition to associating a plurality of different values with selections and determining and displaying a set of a plurality of values based on the player's picks of the selections, the gaming device of amended independent Claim 1 includes generating at least one award by selecting at least one but not all of the plurality of values in the set. Since as described above, the set of Ludlow includes a single value, Ludlow does not disclose generating at least one award based on selecting at least one but not all of the values in the determined set. For these reasons, it is respectfully submitted that amended independent Claim 1 is patentably distinguished over Ludlow and in condition for allowance.

Claims 2 to 4 depend directly or indirectly from Claim 1 and are also allowable for the reasons given with respect to Claim 1, and because of the additional features recited in these claims.

Independent Claims 6, 8, 9, 14, 15, 16, 18, 21, 23 and 25 have each been amended to clarify that, based on a player's picks of a plurality of selections, at least one set of a plurality of values (associated with the player picked selections) is determined and displayed. As described above, the set in Ludlow includes a single value. Accordingly, for this reason and the reasons given with respect to amended independent Claim 1, Applicant respectfully submits that Claims 6, 8, 9, 14, 15, 16, 18, 21, 23 and 25 are patentably distinguished over Ludlow and in condition for allowance.

Claims 10 to 12, 17, 20, 22 and 24 depend directly and indirectly from amended independent Claims 9, 16, 18, 21 and 23, respectively, and are allowable for the reasons given with respect to these independent claims. Accordingly, Applicant respectfully submits that Claims 10 to 12, 17, 20, 22 and 24 are in condition for allowance.

The Office Action rejected Claim 7 under 35 U.S.C. §103(a) as being unpatentable over Ludlow in view of Thomas.

As described above, Ludlow relates to a reel game with a shielding feature. As

stated in the Office Action, Thomas relates to a gaming device in which players make selections from a set of hidden selections. The Office Action states that one embodiment of Thomas reveals the outcomes of all the unselected picks at the end of the game. Accordingly, the gaming device resulting from the combination of Ludlow and Thomas would, at the end of the game, reveal the symbols concealed by any shields not picked by the player.

Claim 7 is directed to the gaming device of amended independent Claim 6, wherein the display device displays the selections and reveals values associated with selections that are not picked by the player.

The Office Action states that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the gaming device disclosed by Ludlow to add the feature of revealing values associated with inputs that are not selected by the player and thereby increase players' enjoyment of the game. Applicant respectfully submits that regardless of if it would have been obvious to incorporate the reveal of any unpicked selections feature of Thomas into Ludlow, as neither Thomas nor Ludlow include a generation of at least one award by selecting one but not all of a plurality of values in a set which is formed based on a player's selections, the gaming device resulting from the combination of Thomas and Ludlow would not include a generation of at least one award by selecting one but not all of a plurality of values in a set which is formed based on a player's selections. On the other hand, the gaming device of Claim 7 includes a generation of at least one award by selecting one but not all of a plurality of values in a set which is formed based on a player's selections. Accordingly, for this reason and the reasons given with respect to amended independent Claim 1, Applicant respectfully submits that Claim 7 is patentably distinguished over Ludlow and Thomas and in condition for allowance.

The Office Action rejected Claim 19 under 35 U.S.C. §103(a) as being unpatentable over Ludlow in view of Vancura.

As described above, Ludlow relates to a reel game with a shielding feature. As stated in the Office Action, Vancura relates to a gaming device in which reel values are combined by addition, subtraction and multiplication. Accordingly, the gaming device

resulting from the combination of Ludlow and Vancura would utilize addition, subtraction, multiplication and division as mathematical operations.

Claim 19 is directed to the gaming device of amended independent Claim 18, wherein the mathematical operations are selected from the group consisting of: addition, subtraction, multiplication and division.

The Office Action states that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the gaming device disclosed by Ludlow to add the feature of performing mathematical operations selected from the set of addition, subtraction, multiplication and division. Applicant respectfully submits that regardless of if it would have been obvious to incorporate the mathematical operations of addition, subtraction, multiplication and division of Vancura into Ludlow, as neither Vancura nor Ludlow include a generation of at least one award by selecting one but not all of a plurality of values in a set which is formed based on a player's selections, the gaming device resulting from the combination of Vancura and Ludlow would not include a generation of at least one award by selecting one but not all of a plurality of values in a set which is formed based on a player's selections. On the other hand, the gaming device of Claim 19 includes a generation of at least one award by selecting one but not all of a plurality of values in a set which is formed based on a player's selections. Accordingly, for this reason and the reasons given with respect to amended independent Claim 1, Applicant respectfully submits that Claim 19 is patentably distinguished over Ludlow and Vancura and in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, Applicant respectfully requests that the Examiner contact the undersigned.

Respectfully submitted,

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